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10 Attorneys for R. Todd Neilson,
11 Chapter 11 Trustee

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LARRY W. ROLLINS, et al.,

Case No. C-09-01702 RMW

Appellants,

**STIPULATION AND ORDER FOR
DISMISSAL OF APPEAL**

vs.

R. TODD NEILSON,

Judge: Hon. Ronald M. Whyte

Appellee.

(Appeal from *Rollins v. Neilson (In re Cedar Funding, Inc.)*, Bankr. N.D. Cal. (San Jose) Case No. 08-52709 MM, Adv. No. 08-05155 MM)

This stipulation is entered into by and between, appellants Larry W. Rollins, Marie P. Rollins, Douglas N. Forzani, and Shirley J. Forzani (the "Appellants") and appellee R. Todd Neilson, the Chapter 11 Trustee (the "Appellee") in the bankruptcy case of Cedar Funding, Inc. (the "Debtor"), with reference to the following facts:

WHEREAS, Appellants filed *Rollins v. Neilson (In re Cedar Funding, Inc.)*, Bankr. N.D. Cal. Case No. 08-52709 MM, Adv. Pro. No. 08-05155 MM in the Bankruptcy Court seeking an adjudication of the ownership of that certain deed of trust on the real property commonly known as 414 Alvarado, Monterey, California (the "Deed of Trust"), securing indebtedness to Vincent R. Larocca;

WHEREAS, the Bankruptcy Court determined that the Appellee is the owner of the Deed of Trust; and Appellants filed the instance appeal; and

WHEREAS, the parties have entered into a settlement with respect to ownership of the Deed of Trust as memorialized in that certain Stipulated Order on Motion for Order from Relief from Automatic Stay entered on June 8, 2010 by the Bankruptcy Court.

NOW, THEREFORE, Appellants and Appellee hereby stipulate and agree that the above captioned appeal shall be dismissed; each party to bear its own costs incurred in connection with the appeal.

Dated: June 28 2010

FRIEDMAN DUMAS & SPRINGWATER LLP

By: Cecily A. Dumas
Cecily A. Dumas
Attorneys for Appellee

Dated: June 25, 2010

By: 
Larry J. Lichtenegger
Attorneys for Appellants

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: 6/30/10

RONALD M. WHYTE
United States District Judge